IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.181 OF 2006
IN
WRIT PETITION NO.2525 OF 2005

Naigaon Education Society .. Appellant
V/s
Smt.P.S.Khandekar & Ors. .. Respondents

Ms.Anupama Shah for the Appellant.
Mr.Bandiwadekar for Respondent No.1.
Mr.P.J.Sawant, AGP for the Respondent Nos.2 and 3.
Mr.M.D.Satale, Secretary of the Trust is present.

CORAM: DR.S.RADHAKRISHNAN &
S.J.VAZIFDAR, JJ.

DATE : 22.03.2006.

P.C.:

1. Heard the learned Counsel for the parties. By this Appeal, the Appellant is challenging the order of the learned Single Judge dated 14.12.2005 only to the limited extent whereby the Appellant is directed to deposit backwages of the Respondent No.1 with the School Tribunal from the date of termination till the date of the order dated 9.8.2005.

2. After hearing the learned Counsel for the parties for sometime, it is agreed between the parties that the Respondent No.1 will be treated under suspension from the month of September, 2005 till the entire enquiry is completed. The learned Counsel for the Appellant, on instructions from the Secretary of the Society who is personally present in Court, states that the Respondent No.1 will be paid subsistence allowance right from the

month of September, 2005 till the matter is disposed of by the School Tribunal. The learned Counsel for the Appellant further states that the subsistence allowance payable for the period from September, 2005 to March, 2006 will be paid to the Respondent No.1 within a period of four weeks from today, and that the subsistence allowance from April, 2006 onwards will be paid to the Respondent No.1 regularly, till the matter is disposed of by the School Tribunal. This will be without prejudice to the rights and contentions of both the parties.

3. It is made clear tha the enquiry proceedings before the School Tribunal shall be conducted within a period of six weeks from today.

4. Appeal stands disposed of accordingly.

(DR.S.RADHAKRISHNAN, J.)

(S.J.VAZIFDAR, J.)